

REMARKS

Responsive to the restriction requirement imposed in the outstanding Official Action mailed on October 19, 2005, applicants hereby provisionally elect Group II, with traverse.

As to the election of species requirement, applicants provisionally elect the *Rheum* genus. Applicants believe that all of the claims read on the elected species.

The grounds for traversal are that the examination of all the claims in their full scope fails to place a burden on the Patent Office. Indeed, applicants note that a search and examination of the application has already been conducted. The restriction requirement has only been issued after the filing of a Request for Continued Examination. As a search and examination has already been conducted in the application, applicants believe that the Patent Office cannot now contend that a consideration of all the claims in their full scope constitutes an undue burden.

Thus, as a result, applicants respectfully request that the restriction requirement be withdrawn.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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